

Joseph V. Womack
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Attorney for Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In Re:

SCHNEIDER, JOHN HENRY

Case No. 14-61357-7

Debtor(s)

**NOTICE OF TRUSTEE'S INTENT TO SELL
HARLEY DAVIDSON AT INTERNET AUCTION**

TO: DEBTOR, CREDITORS, AND ALL OTHER PARTIES OF INTEREST

PLEASE TAKE NOTICE, Joseph V. Womack, the duly qualified and acting Trustee in the above-captioned matter, proposes to sell and will offer for sale by public online auction held at www.bkassets.com with bidding opening five (5) business days after the entry of Order approving the sale, or such other date and time scheduled by the Trustee at his discretion, to be sold to for the highest bidder, the following described property of this Estate:

2001 Harley-Davidson Motorcycle, VIN 1HD1BMY121Y081295

Trustee will have the authority to accept the final sales price, and no further court approval will be necessary to accept the final sales price. The property will be sold "AS IS/WHERE IS" and "WITH ALL FAULTS". Buyer must pay all costs associated with transfer of the property. The

auction will be conducted using an ONLINE ONLY format, and will be listed for sale on the auction website for seven (7) days. Final sale will be to the high bidder at the conclusion of the auction period. Trustee will provide all documents to conclude the sale to BKAssets. BKAssets will transfer the property to the buyer upon receipt of certified funds. If the highest bidder for some reason does not close the sale, BKAssets reserves the right to proceed to the next highest bid received and close with that bidder. The report filed by BKAssets would reflect such an event. Trustee is responsible for payment of the 10% auctioneer fee, based on the gross sales price tendered by the Buyer, and costs not to exceed \$700, and will be paid upon approval of the bankruptcy court.

BKAssets will disclose to all potential bidders on www.bkassets.com and the Internet Auction Venue that these sales are subject to a Bankruptcy Court Proceeding. The case number and case name will be provided as well as BKAssets' name, address, phone and fax number information. All sales will be subject to the terms and conditions set forth in this application as directed by the Trustee.

To participate in the auction, a party should first go to the www.bkassets.com website to view the asset being held pending a sale date (waiting for the bar date notice contained herein to expire plus five (5) business days). Once the bar date notice has expired plus five (5) business days, the sale will commence on the Internet Auction Venue. Potential purchasers may obtain the location of the Internet online bidding link through www.bkassets.com.

There are no liens or encumbrances against the property. Trustee believes this online auction is fair and equitable and will result in the maximum sale price for the property for distribution to unsecured creditors. The auction will also allow all interested parties an equal opportunity to bid on the property.

Trustee further requests that the Court order that the Montana Department of Justice, Motor Vehicle Division, or the motor vehicle division of the state in which any buyer wishes to title the 2001 Harley Davidson, issue new title in the name of the successful bidder upon presentation of the notarized bill of sale and the Court Order approving the sale.

WHEREFORE, the Trustee prays that the Court make its Order authorizing the Trustee to sell the subject property by public internet auction according to the terms set forth herein and per the Trustee's discretion; ordering the Montana Department of Justice, Motor Vehicle Division, or the motor vehicle division of the state, to issue new title in the name of the successful bidder upon presentation of the notarized bill of sale and the Court Order approving the sale; and for such other and further relief the Court deems proper.

DATED this 28th day of March, 2018.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack
Ch. 7 Bankruptcy Trustee

**NOTICE OF OPPORTUNITY TO RESPOND
AND REQUEST A HEARING**

If you object to this sale you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of filing. The responding party shall schedule the hearing on the motion at least twenty-one (21) days after the date of the response and request for hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____
Time: _____
Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

DATED this 28th day of March, 2018.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack
Ch. 7 Bankruptcy Trustee

CERTIFICATE OF SERVICE

I, the undersigned, certify under penalty of perjury that on March 28, 2018, or as soon as possible thereafter, a copy of the foregoing was served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users:

Debtor:

John Schneider
543 Camino de Orchidia
Encinitas, CA 92024

Interested Parties:

Creditor Mailing Matrix

Montana Motor Vehicle Division
Vehicle Services Bureau
PO Box 201431
Helena, MT 59620-1431

Montana Department of Justice
Attorney General Tim Fox
PO Box 201401
Helena, MT 59620-1401

By: /s/ Lynsey Ross
Lynsey Ross
Paralegal to Trustee